

# JOURNAL OF THE HOUSE

First Regular Session, 93rd GENERAL ASSEMBLY

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FIFTY-EIGHTH DAY, TUESDAY, APRIL 19, 2005

The House met pursuant to adjournment.

Speaker Pro Tem Bearden in the Chair.

Prayer by Father Donald W. Lammers.

On a beautiful morning, let us pray from Psalm 148.

Praise the Lord from the Earth...

Kings of the Earth and all peoples,  
Princes and all rulers of the Earth!  
Young men and women alike,  
Old and young together!

Let them praise the name of the Lord,  
For His name alone is exalted;  
His glory is above Earth and Heaven.  
*(Psalm 148:7.11-13)*

Almighty God, from our faith we praise You, in our prayer throughout the day we praise You. May our work this day be in such harmony with Your will that through it we praise You! You are our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kevin Koines, Christine Brethorst, Kristen Lilley, Anna Stroop, Chelsea Becker, Amanda Hargraves, Mia Nealey, Leslie Samford, Jonathan Willis, Jessica Willis, Camille Ovington, Ashlee Coleman, Katherine Schnelle, Rachel Schnelle, Benjamin Schnelle, Devin Burmeister and Kerri Burmeister.

The Journal of the fifty-seventh day was approved as printed.

## SPECIAL RECOGNITION

Rolland “Ron” Kjar of St. Charles was introduced by Representative Rupp and recognized as an Outstanding Missourian.

Dr. Irvine Edward “Irv” Kilbane of Joplin was introduced by Representative Richard and recognized as an Outstanding Missourian.

Wayne Schnelle of Lockwood was introduced by Representative Emery and recognized as an Outstanding Missourian.

Gary A. Dyer, M.D., of St. Joseph was introduced by Representative Schaaf and recognized as an Outstanding Missourian.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 2273 - Representative Rupp  
House Resolution No. 2274 - Representative Jetton  
House Resolution No. 2275 - Representatives Bland and Curls  
House Resolution No. 2276 - Representative Witte  
House Resolution No. 2277 - Representative Franz  
House Resolution No. 2278  
through  
House Resolution No. 2280 - Representative Cooper (158)

### **PERFECTION OF HOUSE BILLS**

**HCS HB 36**, relating to midwives, was taken up by Representative Davis.

Representative Skaggs offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 36, Page 2, Section 210.029, Line 23, by inserting after all of said line the following:

**"4. No physician, certified nurse midwife, or hospital providing emergency medical care or treatment of a woman or infant arising during childbirth as a consequence of the care received by a midwife or caregiver under this section shall be liable for any civil damages for any act or omission resulting from the rendering of such services unless such act or omission was the result of gross negligence or willful misconduct."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Skaggs, **House Amendment No. 1** was adopted.

Representative Byrd offered **House Amendment No. 2**.

**House Amendment No. 2** was withdrawn.

**HCS HB 36, as amended**, was laid over.

**HCS HB 400**, relating to the Dental Carve-Out Act, was taken up by Representative Yates.

Representative Rupp offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 400, Page 1, Section 208.680, Line 1, by adding after said section the following:

**“Section 1. Any entity submitting a bid for a program established under the provisions of this act, shall be actuarially sound and shall provide proof of network and adequacy of network prior to the submission of the bid. No bid shall be accepted by the state of Missouri without meeting the provisions established by this section.”.**

**HCS HB 400, with House Amendment No. 1, pending,** was laid over.

On motion of Representative Dempsey, the House recessed until 2:00 p.m.

**AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Jetton.

**SIGNING OF SENATE BILL**

All other business of the House was suspended while **SCS SB 69** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Bearden resumed the Chair.

**HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 2281

and

House Resolution No. 2282 - Representative Smith (118)

House Resolution No. 2283

through

House Resolution No. 2294 - Representative Kratky

House Resolution No. 2295 - Representative Cunningham (145)

House Resolution No. 2296 - Representatives Cunningham (145) and Moore

House Resolution No. 2297 - Representative Fares

House Resolution No. 2298 - Representative Cooper (158)

House Resolution No. 2299 - Representative Cunningham (145)

House Resolution No. 2300

through

House Resolution No. 2313 - Representative Moore

House Resolution No. 2314 - Representative Witte

House Resolution No. 2315 - Representative Jetton

House Resolution No. 2316

through

House Resolution No. 2329 - Representative Hobbs

House Resolution No. 2330 - Representative Pratt

House Resolution No. 2331

through

House Resolution No. 2333 - Representative Wood

House Resolution No. 2334

through

House Resolution No. 2347 - Representative Black

House Resolution No. 2348 - Representative Villa

## PERFECTION OF HOUSE BILLS

**HCS HB 400, with House Amendment No. 1, pending**, relating to the Dental Carve-Out Act, was again taken up by Representative Yates.

Representative Witte offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1*

*for*

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 400, Page 1, Section 208.680, Line 1, by adding after said section the following:

**“Section 1. Any entity submitting a bid for a program established under the provisions of this act, shall be actuarially sound and shall provide proof of network and adequacy of network prior to the submission of the bid. No bid shall be accepted by the state of Missouri without meeting the provisions established by this section. Any entity submitting a bid for a program established under the provisions of this act that has an established headquarters in this state shall be given a preference by the state of Missouri. Such preference shall recognize the contributions to the local economics of the state. Any entity submitting a bid for a program established by this act shall have previously demonstrated successful delivery of dental services to a majority of the current managed care providers. Any request for proposal, bid let or contract awarded shall only apply to the fee for services portion of the Medicaid program. The provisions of this act shall not go into effect unless an appropriation exists which establishes a reimbursement to dentists at 75% of usual and customary fees for dental services.”.**

Representative Yates raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

Representative Lampe requested a division of the question on **House Substitute Amendment No. 1 for House Amendment No. 1**.

The division of the question was denied by the Chair.

Representative Witte moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Rupp, **House Amendment No. 1** was adopted.

Representative Harris (23) offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 400, Page 1, Section 208.680, Line 1, by adding after said section the following:

**“Section 1. The attorney general shall have full prosecutorial authority over any provider or recipient in any program established by this act.”.**

On motion of Representative Harris (23), **House Amendment No. 2** was adopted.

Representative Rupp offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 400, Page 1, Section 208.680, Line 1, by adding after said section the following:

**“Section 1. The department of social services shall have the authority to carve out any service provided under any portion of a managed care contract which it believes would result in cost savings to the taxpayers of Missouri.”.**

Representative Rupp moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Yates, **HCS HB 400, as amended**, was adopted.

On motion of Representative Yates, **HCS HB 400, as amended**, was ordered perfected and printed.

**HB 417**, relating to uninsured motorists, was taken up by Representative Yates.

Representative Burnett offered **House Amendment No. 1.**

*House Amendment No. 1*

AMEND House Bill No. 417, Page 1, Section 303.390.2(2), Line 12, by deleting the words “by clear and convincing evidence”.

Representative Byrd offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 1*

AMEND House Amendment No. 1 to House Bill No. 417, Page 1, Section 303.390, Line 12, by deleting the word “demonstrated” and inserting in lieu thereof the word “proven”.

On motion of Representative Byrd, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Burnett, **House Amendment No. 1, as amended**, was adopted by the following vote:

AYES: 158

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bowman
Boykins	Bringer	Brooks	Brown 30	Brown 50
Bruns	Burnett	Byrd	Casey	Chinn
Chappelle-Nadal	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dempsey	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Fraser	Goodman
Guest	Harris 23	Harris 110	Haywood	Henke
Hobbs	Hoskins	Hughes	Hunter	Icet
Jackson	Johnson 47	Johnson 61	Johnson 90	Jolly
Jones	Kelly	Kingery	Kratky	Kraus
Kuessner	Lager	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Nolte	Page	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Robinson	Roorda	Rucker	Ruestman	Rupp
Salva	Sander	Sater	Schaaf	Schad
Schlottach	Schneider	Schoemehl	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Smith 118
Spreng	Stefanick	Stevenson	St. Onge	Storch
Sutherland	Swinger	Threlkeld	Tilley	Viebrock
Villa	Vogt	Wagner	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 137	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Bean George Hubbard Oxford

VACANCIES: 001

Representative Yates offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Bill No. 417, Page 2, Section 303.390, Line 15, by inserting at the end of said line the following:

**"The provisions of this section shall not apply to an uninsured motorist whose immediately previous insurance policy meeting the requirements of section 303.190 was terminated or nonrenewed for failure to pay the premium, unless notice of termination or nonrenewal for failure to pay such premium was provided by such insurer at least thirty days prior to the time of the accident."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Yates, **House Amendment No. 2** was adopted.

Representative Page offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Bill No. 417, Page 2, Section 303.390, Line 28, by inserting after all of said line the following:

**"7. The department of revenue, or the department's designee, shall notify each applicant for a motor vehicle license in writing of the provisions of this section on application or renewal for a motor vehicle license."; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Page moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Yates, **HB 417, as amended**, was ordered perfected and printed.

**HB 205**, relating to child support payments, was taken up by Representative Salva.

On motion of Representative Salva, **HB 205** was ordered perfected and printed.

**HCS#2 HB 568**, relating to the protection of children, was taken up by Representative Stevenson.

Representative Franz offered **House Amendment No. 1.**

*House Amendment No. 1*

AMEND House Committee Substitute No. 2 for House Bill No. 568, Page 2, Section 210.117, Line 14 of said page, by inserting after the word “**child**” the words:

“**in the home**”; and

Further amend said bill, Page 3, Section 211.038, Line 14 of said page, by inserting after the word “**child**” the words “**in the home**”; and

Further amend said bill, Page 9, Section 452.375, Line 53 of said page, by inserting after the word “**child**” the words “**in the home**”; and

Further amend said bill, Page 12, Section 452.400, Line 21 of said page, by inserting after the word “**child**” the words “**in the home**”; and

Further amend said bill, Page 13, Section 452.400, Line 63 of said page, by inserting after the word “**child**” the words “**in the home**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Franz moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Stevenson, **HCS#2 HB 568** was adopted.

On motion of Representative Stevenson, **HCS#2 HB 568** was ordered perfected and printed.

**HB 617, with House Committee Amendment No. 1**, relating to watershed districts, was taken up by Representative Kelly.

Representative Kelly offered **House Substitute Amendment No. 1 for House Committee Amendment No. 1.**

*House Substitute Amendment No. 1  
for  
House Committee Amendment No. 1*

AMEND House Bill No. 617, Section 249.1150, Page 2, Line 26, by inserting immediately after said line the following:

“**2. Any county of the third classification without a township form of government and with more than thirteen thousand seventy-five but fewer than thirteen thousand one hundred seventy-five inhabitants, any county of the third classification without a township form of government and with more than nine thousand four hundred fifty but fewer than nine thousand five hundred fifty inhabitants, or any county of the third classification without a township form of government and with more than seventeen thousand nine hundred but fewer than eighteen thousand inhabitants shall not be included again in a watershed improvement district under this section without a majority vote of the qualified voters of such county.**”; and



Further renumber all subsections of said section accordingly; and

Further amend said section, Page 4, Line 122, by inserting after said line the following:

**"13. For a watershed improvement district located in any county of the third classification without a township form of government and with more than thirteen thousand seventy-five but fewer than thirteen thousand one hundred seventy-five inhabitants, any county of the third classification without a township form of government and with more than nine thousand four hundred fifty but fewer than nine thousand five hundred fifty inhabitants, or any county of the third classification without a township form of government and with more than seventeen thousand nine hundred but fewer than eighteen thousand inhabitants, upon the filing of a petition signed by at least twenty percent of the qualified voters of the county requesting inclusion of the county within a watershed improvement district, the governing body of such county shall at the next general or primary election submit the question to the qualified voters of the county. The ballot submission shall be in substantially the following form:**

**Shall ..... County be included within the ..... watershed improvement district?**

☐ Yes

☐ No

**If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".**

**If a majority of the votes cast in the county favor the proposal submitted under this subsection, the county shall be included within the district. If a majority of the votes cast in the county oppose the proposal submitted under this subsection, the county shall not be included within the district.”; and**

Further amend Section 249.1152, Page 4, Line 1 of said section, by inserting an open bracket “[“ immediately before section number 249.1152; and

Further amend said section, Page 9, Line 175 of said section, by inserting a closed bracket “]” immediately following the period; and

Further amend said line of said section, by inserting immediately following said line the following:

[249.1154. The governing body of any county, by order or ordinance or upon the filing of a petition signed by at least twenty percent of the property owners in an area proposed for designation under this section, may designate groundwater depletion areas within a watershed improvement district created under section 249.1150 or 249.1152 and may require well volume monitoring.

249.1155. After August 28, 2004, any county within a watershed improvement district may require that all septic systems be maintained or pumped every five years by a licensed provider. In the event a county requires that all septic systems be so maintained or pumped the owner of any septic system shall submit proof of maintenance or pumping to the county department of health or the state department of health and senior services if appropriate which shall determine what shall constitute proof of compliance with the requirement. In addition, the county department of health or the state department of health and senior services if appropriate may charge septic tank owners a reasonable fee for monitoring compliance with the requirement.

640.635. Any person or laboratory performing an analysis of wastewater shall be licensed to perform the analysis by the department of natural resources. The department shall determine by rule or regulation the licensing criteria. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly under chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void. The department may require the person or laboratory obtaining a license under this section to pay a fee to the department for licensure. The fee shall be set at a level not to exceed the cost and expense of administrating this section.]

644.076. 1. It is unlawful for any person to cause or permit any discharge of water contaminants from any water contaminant or point source located in Missouri in violation of sections 644.006 to 644.141, or any standard, rule or regulation promulgated by the commission. In the event the commission or the director determines that any provision of sections 644.006 to 644.141 or standard, rules, limitations or regulations promulgated pursuant thereto, or permits issued by, or any final abatement order, other order, or determination made by the commission or the director, or any filing requirement pursuant to sections 644.006 to 644.141 or any other provision which this state is required to enforce pursuant to any federal water pollution control act, is being, was, or is in imminent danger of being violated, the commission or director may cause to have instituted a civil action in any court of competent jurisdiction for the injunctive relief to prevent any such violation or further violation or for the assessment of a penalty not to exceed ten thousand dollars per day for each day, or part thereof, the violation occurred and continues to occur, or both, as the court deems proper. A civil monetary penalty pursuant to this section shall not be assessed for a violation where an administrative penalty was assessed pursuant to section 644.079. The commission, the chair of a watershed district's board of trustees created under section 249.1150 [or 249.1152], or the director may request either the attorney general or a prosecuting attorney to bring any action authorized in this section in the name of the people of the state of Missouri. Suit may be brought in any county where the defendant's principal place of business is located or where the water contaminant or point source is located or was located at the time the violation occurred. Any offer of settlement to resolve a civil penalty pursuant to this section shall be in writing, shall state that an action for imposition of a civil penalty may be initiated by the attorney general or a prosecuting attorney representing the department pursuant to this section, and shall identify any dollar amount as an offer of settlement which shall be negotiated in good faith through conference, conciliation and persuasion.

2. Any person who knowingly makes any false statement, representation or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to sections 644.006 to 644.141 or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained pursuant to sections 644.006 to 644.141 shall, upon conviction, be punished by a fine of not more than ten thousand dollars, or by imprisonment for not more than six months, or by both.

3. Any person who willfully or negligently commits any violation set forth pursuant to subsection 1 of this section shall, upon conviction, be punished by a fine of not less than two thousand five hundred dollars nor more than twenty-five thousand dollars per day of violation, or by imprisonment for not more than one year, or both. Second and successive convictions for violation of the same provision of this section by any person shall be punished by a fine of not more than fifty thousand dollars per day of violation, or by imprisonment for not more than two years, or both.

4. The liabilities which shall be imposed pursuant to any provision of sections 644.006 to 644.141 upon persons violating the provisions of sections 644.006 to 644.141 or any standard, rule, limitation, or regulation adopted pursuant thereto shall not be imposed due to any violation caused by an act of God, war, strike, riot, or other catastrophe.

701.031. Property owners of all buildings where people live, work or assemble shall provide for the sanitary disposal of all domestic sewage. Except as provided in this section, sewage and waste from such buildings shall be disposed of by discharging into a sewer system regulated pursuant to chapter 644, RSMo, or shall be disposed of by discharging into an on-site sewage disposal system operated as defined by rules promulgated pursuant to sections 701.025 to 701.059. [Any person installing on-site sewage disposal systems shall be registered to do so by the department of health and senior services.] The owner of a single-family residence lot consisting of three acres or more, or the owner of a residential lot consisting of ten acres or more with no single-family residence on-site sewage disposal system located within three hundred sixty feet of any other on-site sewage disposal system and no more than one single-family residence per each ten acres in the aggregate, except lots adjacent to lakes operated by the Corps of Engineers or by a public utility, shall be excluded from the provisions of sections 701.025 to 701.059 and the rules promulgated pursuant to sections 701.025 to 701.059, including provisions relating to the construction, operation, major modification and major repair of on-site disposal systems, when all points of the system are located in excess of ten feet from any adjoining property line and no effluent enters an adjoining property, contaminates surface waters or groundwater or creates a nuisance as determined by a readily available scientific method. Except as provided in this section, any construction, operation, major modification or major repair of an on-site sewage disposal system shall be in accordance with rules promulgated pursuant to sections 701.025 to 701.059, regardless of when the system was originally constructed. The provisions of subdivision (2) of subsection 1 of section 701.043 shall not apply to lots located in subdivisions under the jurisdiction of the department of natural resources which are required by a consent decree, in effect on or before May 15, 1984, to have class 1, National Sanitation Federation (NSF) aerated sewage disposal systems.

701.038. 1. The department of health and senior services or any of its agents may not investigate a sewage complaint except when necessary as part of a communicable disease investigation unless the complaint is received from an aggrieved party **or**[,] an adjacent landowner, [or any two residents of the county]. The department of health and senior services or any of its agents may enter any adjoining property if necessary when they are making an inspection pursuant to this section. The necessity for entering such adjoining property shall be stated in writing and the owner of such property shall be notified before the department or any of its agents may enter, except that, if an imminent health hazard exists, such notification shall be attempted but is not required.

2. If the department or its agents make an investigation pursuant to a complaint as described in subsection 1 of this section and find that a nuisance does exist, the property owner shall comply with state and local standards when repairing or replacing the on-site sewage disposal system.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wood offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Committee Amendment No. 1.**

*House Amendment No. 1  
to  
House Substitute Amendment No. 1  
for  
House Committee Amendment No. 1*

AMEND House Substitute Amendment No. 1 for House Committee Amendment No. 1 to House Bill No. 617, Page 2, Lines 19 through 23, by deleting all of said lines and inserting in lieu thereof the following:

AMEND House Bill No. 617, Page 5, Section 249.1152, Line 33, by deleting "at least twenty percent" and inserting in lieu thereof the following: "at least [twenty] **fifty** percent"; and

Further amend said amendment, Page 3, Lines 2 through 22, by deleting all of said lines and inserting after the word “monitoring.” the following:

“]  
249.1155. After August 28, 2004, any county within a watershed improvement district may require that all septic systems **on property benefited by the district** be maintained or pumped every five years by a licensed provider. [In the event a county requires that all septic systems be so maintained or pumped] The owner of any septic system **benefited by the district** shall submit proof of maintenance or pumping to the county department of health or the state department of health and senior services if appropriate which shall determine what shall constitute proof of compliance with the requirement. In addition, the county department of health or the state department of health and senior services if appropriate may charge septic tank owners a reasonable fee for monitoring compliance with the requirement.”; and

Further amend said amendment, Page 5, Line 17, by inserting after said line the following:

“640.635. Any [person or] **private** laboratory performing an analysis of wastewater shall be licensed to perform the analysis by the department of natural resources. The department shall determine by rule or regulation the licensing criteria. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly under chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void. The department may require the person or laboratory obtaining a license under this section to pay a fee to the department for licensure. The fee shall be set at a level not to exceed the cost and expense of administering this section.”; and

Further amend said amendment, Page 6, Line 21, and Page 7, Lines 1 through 10, by deleting said lines and inserting in lieu thereof the following:

“701.038. 1. The department of health and senior services or any of its agents may not investigate a sewage complaint except when necessary as part of a communicable disease investigation unless the complaint is received from an aggrieved party, an adjacent landowner, or any two residents of the county. The department of health and senior services or any of its agents may enter any adjoining property if necessary when they are making an inspection pursuant to this section. The necessity for entering such adjoining property shall be stated in writing and the owner of such property shall be notified before the department or any of its agents may enter, except that, if an imminent health hazard exists, such notification shall be attempted but is not required.

2. If the department or its agents make an investigation pursuant to a complaint as described in subsection 1 of this section and find that a nuisance does exist, the property owner shall comply with state and local standards when repairing or replacing the on-site sewage disposal system.

**3. For purposes of this section the term "resident of the county" means any person who owns and occupies real property in the county.**

[249.1154. The governing body of any county, by order or ordinance or upon the filing of a petition signed by at least twenty percent of the property owners in an area proposed for designation under this section, may designate groundwater depletion areas within a watershed improvement district created under section 249.1150 or 249.1152 and may require well volume monitoring.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wood moved that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Committee Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 038

Bowman	Brooks	Brown 50	Chappelle-Nadal	Curls
Darrough	Dixon	Donnelly	Dougherty	El-Amin
Fraser	Harris 23	Haywood	Hoskins	Jolly
Lampe	LeVota	Liese	Low 39	Lowe 44
Meiners	Nolte	Roorda	Rucker	Sater
Schoemehl	Storch	Viebrock	Vogt	Walsh
Wasson	Weter	Whorton	Witte	Wood
Wright 137	Yaeger	Zweifel		

NOES: 112

Aull	Avery	Baker 25	Baker 123	Bearden
Behnen	Bivins	Black	Bland	Bringer
Brown 30	Bruns	Burnett	Byrd	Casey
Chinn	Cooper 120	Cooper 155	Cooper 158	Corcoran
Cunningham 145	Cunningham 86	Daus	Davis	Day
Deeken	Dempsey	Dethrow	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Goodman	Guest	Harris 110	Henke
Hobbs	Hughes	Hunter	Ice	Jackson
Johnson 47	Johnson 90	Jones	Kelly	Kingery
Kratky	Kraus	Kuessner	Lager	Lembke
Lipke	Loehner	May	McGhee	Meadows
Moore	Munzlinger	Muschany	Myers	Nance
Nieves	Page	Parker	Parson	Pearce

Phillips	Pollock	Portwood	Pratt	Quinn
Rector	Richard	Roark	Robb	Robinson
Ruestman	Rupp	Salva	Sander	Schaaf
Schad	Schlottach	Schneider	Selby	Self
Shoemyer	Silvey	Skaggs	Smith 14	Spreng
Stefanick	St. Onge	Sutherland	Swinger	Threlkeld
Tilley	Villa	Wagner	Wallace	Wells
Wildberger	Wilson 130	Wright 159	Wright-Jones	Yates
Young	Mr Speaker			

PRESENT: 002

Johnson 61                  Wilson 119

ABSENT WITH LEAVE: 010

Bean	Boykins	Denison	George	Hubbard
Marsh	Oxford	Smith 118	Stevenson	Walton

VACANCIES: 001

On motion of Representative Kelly, **House Substitute Amendment No. 1 for House Committee Amendment No. 1** was adopted.

Representative Cunningham (145) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 617, Section 249.1150, Page 1, Line 13, by inserting immediately before the word “any” the word “**and**”; and

Further amend said page, Line 15, by deleting the word “**and**”; and

Further amend said line by inserting immediately before the word “any” an open bracket “[“; and

Further amend said section, Page 2, Line 17, by deleting the open bracket “[“; and

Further amend Section 249.1152, Page 9, Line 159, by inserting immediately after the comma “,” the following:

“**any county of the third classification without a township form of government and with more than thirty-one thousand but fewer than thirty-one thousand one hundred inhabitants,**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cunningham (145), **House Amendment No. 1** was adopted.

On motion of Representative Kelly, **HB 617, as amended**, was ordered perfected and printed.

**HCS HB 649**, relating to the elderly and disabled income tax credit, was taken up by Representative Fares.

Representative Parson assumed the Chair.

Speaker Pro Tem Bearden resumed the Chair.

Representative Baker (25) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 649, Page 3, Section 135.097, Line 56, by inserting after said line the following:

**“An eligible taxpayer shall not be allowed to claim the tax credit for the year that the homestead is sold.”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Baker (25), **House Amendment No. 1** was adopted.

On motion of Representative Fares, **HCS HB 649, as amended**, was adopted.

On motion of Representative Fares, **HCS HB 649, as amended**, was ordered perfected and printed.

On motion of Representative Dempsey, the House recessed until 8:00 p.m.

**EVENING SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Bearden.

**PERFECTION OF HOUSE BILLS**

**HCS HB 827**, relating to disabled employees’ medical assistance, was taken up by Representative Portwood.

Representative Portwood offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 827, Page 6, Section 208.146, Line 166, by inserting after said language the following:

**“16. Notwithstanding any other provision of law to the contrary, in any given fiscal year, any persons made eligible for medical assistance benefits under this section shall only be eligible if annual appropriations are made for such eligibility. This subsection shall not apply to classes of individuals listed in 42 U.S.C. Section 1396a(a)(10)(A)(I).**

**17. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act, the provisions of the new program authorized under section 208.146 shall sunset on June 30, 2008.”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 1** was adopted.

Representative Portwood offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 827, Page 1, Lines 3 and 4 of the Title, by deleting the words “, with an emergency clause”; and

Further amend said bill, Page 1, Section 208.146, Lines 1 and 2, by inserting an opening bracket “[“ and a closing bracket “]” around the words “the federal Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIIA) (Public Law 106-170)”; and

Further amend said section, Page 2, Line 25, by deleting the words “**one-time**”; and

Further amend said section, Page 4, Lines 101 through 103, by deleting all of said lines and inserting in lieu thereof the word “**determination.**” and by renumbering the subsection accordingly; and

Further amend said section, Page 5, Lines 155 and 156, by deleting the words “**and shall be permanently barred from participation in any state-funded medical assistance program**”; and

Further amend said bill, Page 6, Section B, by deleting all of said section; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 2** was adopted.

Representative Bringer offered **House Amendment No. 3.**

Representative Wright (137) raised a point of order that **House Amendment No. 3** is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Bowman offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 827, Page 6, Section 208.146, Line 166, by inserting after all of said line the following:

**"16. Notwithstanding any other provision of law to the contrary, any resident of this state who otherwise meets the eligibility requirements for medical assistance benefits under this section, and whose family income is one hundred percent or less of the federal poverty level shall be eligible to receive medical assistance benefits under this section. For purposes of this section "employed on a full-time basis" means a person who is employed an average of thirty-five hours per week for at least two calendar quarters immediately preceding the determination of eligibility.";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Wright (137) raised a point of order that **House Amendment No. 4** amends previously amended material and goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Bowman moved that **House Amendment No. 4** be adopted.

Which motion was defeated.

Representative Donnelly offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 827, Page 5, Section 208.146, Lines 143 and 144, by deleting the words "**one hundred**" and inserting in lieu thereof the word "**twenty**"; and

Further amend said bill, Page 5, Section 208.146, Line 146, by deleting the words "**two hundred**" and inserting in lieu thereof the word "**fifty**"; and

Further amend said bill, Page 5, Section 208.146, Line 148, by deleting the words "**three hundred**" and inserting in lieu thereof the words "**one hundred**"; and

Further amend said bill, Page 5, Section 208.146, Line 149, by deleting the words "**four hundred**" and inserting in lieu thereof the words "**one hundred fifty**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Nieves offered **House Amendment No. 1 to House Amendment No. 5**.

*House Amendment No. 1  
to  
House Amendment No. 5*

AMEND House Amendment No. 5 to House Committee Substitute for House Bill No. 827, Page 1 of the amendment, Line 3, by deleting the word "**fifty**" and by inserting in lieu thereof the word "**ninety**"; and

Further amend said amendment, Lines 5 and 6, by deleting said lines and by inserting in lieu thereof the following:

'by deleting the words "**two hundred**" and by inserting in lieu thereof the words "**one hundred ninety**"; and

Further amend said amendment, Line 9, by deleting said line and by inserting in lieu thereof the following:

'thereof the words "**two hundred ninety**" and'; and

Further amend said amendment, Lines 11 and 12, by deleting said lines and by inserting in lieu thereof the following:

'by deleting the words "**four hundred**" and inserting in lieu thereof the words "**three hundred ninety**".



On motion of Representative Nieves, **House Amendment No. 1 to House Amendment No. 5** was adopted.

**House Amendment No. 5, as amended**, was withdrawn.

On motion of Representative Portwood, **HCS HB 827, as amended**, was adopted.

On motion of Representative Portwood, **HCS HB 827, as amended**, was ordered perfected and printed.

**HCS HBs 49 & 50**, relating to alternative sentencing procedures, was taken up by Representative Jolly.

On motion of Representative Jolly, **HCS HBs 49 & 50** was adopted.

On motion of Representative Jolly, **HCS HBs 49 & 50** was ordered perfected and printed.

**HCS HB 691**, relating to non-gaming amusement devices, was taken up by Representative Cooper (120).

Representative Rupp offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 691, Page 3, Section 572.010, Line 79, by inserting after all of said line the following:

"572.070. 1. A person commits the crime of possession of a gambling device if, with knowledge of the character thereof, he manufactures, sells, transports, places or possesses, or conducts or negotiates any transaction affecting or designed to affect ownership, custody or use of:

(1) A slot machine **other than a slot machine sold, purchased, or otherwise acquired pursuant to section 572.125**; or

(2) Any other gambling device, knowing or having reason to believe that it is to be used in the state of Missouri in the advancement of unlawful gambling activity.

2. Possession of a gambling device is a class A misdemeanor.

572.125. 1. It shall be [an affirmative defense to any prosecution under this chapter relating to slot machines, if the defendant shows that the slot machine is an antique slot machine and was not operated for gambling purposes while in the defendant's possession. For the purposes of this section, an antique slot machine is one which is over thirty years] **lawful for any person to sell or purchase or otherwise acquire any slot machine for operation at the residence of the owner, if such slot machine is not operated for gambling purposes. Such ownership or operation of a slot machine shall not be the basis for prosecution for any gambling offense under this chapter.**

2. Notwithstanding section 572.120, [whenever the defense provided by subsection 1 of this section is offered,] no slot machine seized from any defendant shall be destroyed or otherwise altered until after a final court determination that such [defense is not applicable. If the defense is applicable, any such slot machine shall be returned pursuant to provisions of law providing for the return of property] **machine was operated for gambling purposes.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Rupp, **House Amendment No. 1** was adopted.

On motion of Representative Cooper (120), **HCS HB 691, as amended**, was adopted.

On motion of Representative Cooper (120), **HCS HB 691, as amended**, was ordered perfected and printed.

**HCS HB 36, as amended**, relating to midwives, was again taken up by Representative Davis.

Representative Page moved that **HCS HB 36, as amended**, be recommitted to the Committee on Professional Registration and Licensing.

Which motion was defeated.

Representative Dempsey moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Avery	Baker 123	Bearden	Behnen	Bivins
Black	Brown 30	Bruns	Byrd	Chinn
Cooper 120	Cooper 155	Cooper 158	Cunningham 145	Cunningham 86
Davis	Deeken	Dempsey	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Goodman
Guest	Hobbs	Hunter	Ice	Jackson
Johnson 47	Jones	Kelly	Kingery	Kraus
Lager	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Myers
Nance	Nieves	Nolte	Parker	Parson
Pearce	Phillips	Pollock	Portwood	Pratt
Quinn	Rector	Richard	Roark	Robb
Ruestman	Rupp	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Self	Silvey
Smith 14	Smith 118	Stefanick	Stevenson	St. Onge
Sutherland	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Wood	Wright 137	Wright 159	Yates
Mr Speaker				

NOES: 060

Aull	Baker 25	Bland	Bowman	Bringer
Brooks	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
El-Amin	Fraser	George	Harris 23	Harris 110
Haywood	Henke	Hoskins	Hubbard	Hughes
Johnson 61	Johnson 90	Jolly	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Oxford	Page	Robinson
Roorda	Rucker	Salva	Schoemehl	Selby

Shoemyer	Skaggs	Spreng	Storch	Swinger
Villa	Vogt	Wagner	Walsh	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 006

Bean	Boykins	Day	Dougherty	Marsh
Walton				

VACANCIES: 001

On motion of Representative Davis, **HCS HB 36, as amended**, was adopted.

On motion of Representative Davis, **HCS HB 36, as amended**, was ordered perfected and printed.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HB 353** - Fiscal Review (Fiscal Note)

**HCS HB 532** - Fiscal Review (Fiscal Note)

**HCS HB 576** - Fiscal Review (Fiscal Note)

### **COMMITTEE REPORTS**

**Committee on Budget**, Chairman Lager reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HJR 12**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

**Committee on Judiciary**, Chairman Byrd reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SS SCS SB 346**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

**Committee on Local Government**, Chairman Johnson (47) reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SCS SB 138**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 268**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

**Committee on Tourism**, Chairman Marsh reporting:

Mr. Speaker: Your Committee on Tourism, to which was referred **SB 180**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism, to which was referred **SB 274**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism, to which was referred **SB 358**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

**Committee on Veterans**, Chairman Jackson reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 784**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

**Committee on Ways and Means**, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 952**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SCS SB 310**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(26)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 23**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 586**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 591, 210, 377, 760 & 777**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 665**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of two (2) hours for debate on Perfection.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 742**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 854**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 924**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 972**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 165**, begs leave to report it has examined the same and recommends that it **Be Returned to the Committee of Origin.**

Mr. Speaker: Your Committee on Rules, to which was referred **SB 479**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate.**

Mr. Speaker: Your Committee on Rules, to which was referred **SB 526**, begs leave to report it has examined the same and recommends that it **Do Pass, with no time limit for debate.**

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS SCR 6.**

#### **SENATE COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 6**

WHEREAS, Taiwan and the United States enjoy one of the most important economic and strategic international relationships that exists today; and

WHEREAS, together, Taiwan and the United States promote a shared belief in freedom, democracy, and market principles; and

WHEREAS, the level of mutual investment between Taiwan and the United States is quite high; and

WHEREAS, streamlined foreign investment procedures developed under a Taiwan-United States free trade agreement would lead to further investment by firms in both Taiwan and the United States and would create new business opportunities and new jobs; and

WHEREAS, a Taiwan-United States free trade agreement would encourage greater innovations and manufacturing efficiencies by stimulating joint technological development, practical applications, and new cooperative ventures; and

WHEREAS, a recent study by the United States International Trade Commission supports the negotiation of a Taiwan-United States free trade agreement; and

WHEREAS, a Taiwan-United States free trade agreement would build on the existing strong relations between Taiwan and the United States to simultaneously boost Taiwan's security and democracy and serve the broader interests of the United States in the Asia-Pacific region:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Third General Assembly, First Regular Session, the House of Representatives concurring therein, hereby support the negotiations of a Taiwan-United States free trade agreement; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Taipei Economic and Cultural Office in Kansas City.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS SCR 8**.

SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE CONCURRENT RESOLUTION NO. 8

WHEREAS, good health is important to every citizen of the world and access to the highest standards of health information and services is necessary to improve the public health; and

WHEREAS, direct and unobstructed participation in international health cooperation forums and programs is beneficial for all parts of the world, especially with today's greater potential for the cross-border spread of various infectious diseases; and

WHEREAS, Taiwan's population of 23,500,000 people is greater than three-fourths of the member states already in the World Health Organization; and

WHEREAS, Taiwan's achievements in the field of health are substantial, including achieving one of the highest life expectancy levels in Asia; lowering maternal and infant mortality rates to a level comparable to those of western countries; eradicating such infectious diseases as cholera, smallpox, the plague, and polio; and providing children with hepatitis B vaccinations; and

WHEREAS, the United States Centers for Disease Control and Prevention and its Taiwan counterpart agencies have enjoyed close collaboration on a wide range of public health issues; and

WHEREAS, in recent years Taiwan has expressed a willingness to assist financially and technically in international aid and health activities supported by the World Health Organization; and

WHEREAS, the World Health Assembly has allowed observers to participate in the activities of the organization, including the Palestine Liberation Organization in 1974, the Order of Malta, and the Holy See in the early 1950s; and

WHEREAS, the United States, in the 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations:

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the World Health Organization and to the Taipei Economic and Cultural Office in Kansas City.

## ADJOURNMENT

## CORRECTIONS TO THE HOUSE JOURNAL

I, State Representative Charlie Denison, District 135, hereby state and affirm that my vote as recorded on the motion to adopt House Amendment No. 1 to House Substitute Amendment No. 1 for House Committee Amendment No.1 to House Bill No. 617 in the House Journal for Tuesday, April 19, 2005 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 88, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

State of Missouri               )  
County of Cole             ) ss.

/s/ Stephen S. Davis  
Chief Clerk

[illegible]

Subscribed and sworn to before me this 19th day of April in the year 2005.

/s/ Stephen S. Davis  
Chief Clerk

## **COMMITTEE MEETINGS**

### **ADMINISTRATION AND ACCOUNTS**

Thursday, April 21, 2005, 8:00 a.m. Hearing Room 4.

House Policy Revisions. Executive session may follow. AMENDED

### **AGRICULTURE POLICY**

Wednesday, April 20, 2005, House Chamber side gallery upon afternoon recess.

Executive session will be held on: SB 187

### **CHILDREN AND FAMILIES**

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 970

### **CONSERVATION AND NATURAL RESOURCES**

Wednesday, April 20, 2005, 6:00 p.m. Hearing Room 1.

Possible Executive session.

### **CORRECTIONS AND PUBLIC INSTITUTIONS**

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 590, HB 772, HB 875

### **ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 472, HB 909, HB 946

### **HEALTH CARE POLICY**

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 770, HB 805, HB 905, HCR 31

### **JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, April 20, 2005, 12:00 p.m. Hearing Room 6.

Senate bills will be heard first. Executive session may follow.

Public hearings to be held on: HB 89, HB 787, HB 837, HB 884, SB 99, SS SB 343



#### LOCAL GOVERNMENT

Thursday, April 21, 2005, 8:00 a.m. Hearing Room 6.

Executive session. AMENDED

Public hearings to be held on: HB 778, SCS SB 468, SS SCS SB 32

#### RULES

Wednesday, April 20, 2005, 12:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 784, HB 880, HCS SB 189,

SCS SB 170, SCS SB 272, SB 286, HCS SCS SB 252,

HCS SB 42, HCS SCS SB 10 & 27

#### SENIOR CITIZEN ADVOCACY

Thursday, April 21, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 736, HB 887, SCS SBs 75 & 353

#### SPECIAL COMMITTEE ON GENERAL LAWS

Thursday, April 21, 2005, 8:30 a.m. Hearing Room 5.

Executive session may follow. CANCELLED

Public hearing to be held on: HB 759

#### SPECIAL COMMITTEE ON GENERAL LAWS

Monday, May 2, 2005, Hearing Room 5 upon afternoon adjournment.

Executive session may follow.

Public hearing to be held on: HB 911

#### SPECIAL COMMITTEE ON URBAN ISSUES

Thursday, April 21, 2005, 8:30 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HCR 28, SS SB 95

#### TRANSPORTATION

Wednesday, April 20, 2005, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 653, HB 469, HB 817

#### UTILITIES

Wednesday, April 20, 2005, Hearing Room 5 upon morning recess.

Executive session may occur.

Public hearings to be held on: HCR 33, SS SCS SB 462

**WAYS AND MEANS**

Wednesday, April 20, 2005, Hearing Room 5 upon afternoon recess.

Possible Executive session.

Public hearings to be held on: HB 916, SS SB 362

**WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, April 20, 2005, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 197

**HOUSE CALENDAR**

FIFTY-NINTH DAY, WEDNESDAY, APRIL 20, 2005

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 474 - Yates
- 2 HCS HB 628 - Byrd
- 3 HCS HB 255 - Cunningham (86)
- 4 HCS HB 387 - Byrd
- 5 HB 572 - Stevenson
- 6 HCS HB 560 - Wright (137)
- 7 HCS HB 498 - Kratky
- 8 HCS HB 853 - Loehner
- 9 HCS HB 863 - Wasson
- 10 HB 832 - Brooks
- 11 HCS HB 866 - Wilson (130)
- 12 HCS HB 640 - Pearce
- 13 HB 291 - Cooper (155)
- 14 HCS HB 272 - Pratt
- 15 HB 196 - Wildberger
- 16 HB 116 - Deeken
- 17 HCS HB 697 - Lembke
- 18 HB 721 - Flook
- 19 HCS HB 824 - Hobbs
- 20 HCS HB 671 - Sutherland
- 21 HCS HB 804 - Smith (118)
- 22 HB 679 - Kraus
- 23 HCS HB 91 - Johnson (47)
- 24 HCS HB 192 - Sander
- 25 HCS HB 665 - Behnen
- 26 HCS HB 742 - Bearden
- 27 HCS HB 854 - Richard
- 28 HCS HB 924 - Wallace
- 29 HCS HB 972 - Jetton

(2 hours debate on Perfection)

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HCS HB 639, as amended - Hoskins
- 2 HB 376 - Guest
- 3 HCS HB 519, as amended - Roark (3 hours debate on Perfection)

**HOUSE BILL FOR PERFECTION - FEDERAL MANDATE**

HCS HB 500 & 533 - Faith

**HOUSE BILLS FOR THIRD READING**

- 1 HB 375 - Nance
- 2 HCS HB 209 - Cooper (120)
- 3 HCS HB 576, (Fiscal Review 4-19-05) - Flook
- 4 HCS HB 525 - May
- 5 HCS HB 532, (Fiscal Review 4-19-05) - Spreng
- 6 HB 530 - Moore
- 7 HB 320 - Muschany
- 8 HCS HB 440 - Pratt
- 9 HCS HB 286 - Bland
- 10 HCS HB 353, (Fiscal Review 4-19-05) - Lipke
- 11 HCS HB 400 - Yates
- 12 HB 417 - Yates
- 13 HB 205 - Salva
- 14 HCS#2 HB 568 - Stevenson
- 15 HB 617 - Kelly
- 16 HCS HB 649 - Fares
- 17 HCS HB 827 - Portwood
- 18 HCS HB 49 & 50 - Jolly
- 19 HCS HB 691 - Cooper (120)
- 20 HCS HB 36 - Davis

**HOUSE BILL FOR THIRD READING - CONSENT**

HCS HB 508, E.C. - Pratt

**SENATE CONCURRENT RESOLUTION**

SCR 2, (3-02-05, Pages 470-471) - Sander

**SENATE JOINT RESOLUTION FOR THIRD READING**

SS SJR 1 - Chinn

**SENATE BILLS FOR THIRD READING - CONSENT**

(4/15/05)

- 1 HCS SCS SB 24 - Schlottach
- 2 SCS SB 68 - Yates
- 3 SB 71 - Nieves
- 4 HCS SCS SB 100 - Dixon
- 5 HCS SCS SBs 103 & 115 - Yates
- 6 SB 131 - Yates
- 7 SCS SB 133 - Yates
- 8 SB 149 - Stevenson
- 9 SB 156 - Richard
- 10 SB 178 - Schaaf
- 11 SB 211 - Cooper (120)
- 12 SCS SB 222 - Sutherland
- 13 HCS SCS SB 246 - Villa
- 14 SB 259 - Baker (123)
- 15 SB 261 - Yates
- 16 SCS SB 266 - Fares
- 17 SCS SB 267 - Jackson
- 18 SB 279 - Wasson
- 19 SCS SB 289 - Tilley
- 20 SB 298 - Wright-Jones
- 21 SB 299 - Wright-Jones
- 22 SCS SB 302 - Cunningham (86)
- 23 SB 306 - Dethrow
- 24 HCS SB 307 - Kuessner
- 25 SB 318 - Cooper (120)
- 26 SB 347 - Cooper (155)
- 27 SB 394 - Pearce
- 28 SCS SB 407 - Lipke
- 29 SB 453 - St. Onge
- 30 SB 480 - Kraus
- 31 HCS SB 490 - Pearce
- 32 SCS SB 501 - Stefanick
- 33 SB 507 - Baker (25)
- 34 SB 516 - Richard
- 35 SB 518 - Cooper (155)

(4/18/05)

- 1 SCS SB 6 - Lager
- 2 HCS SB 38 - Ruestman
- 3 SB 122 - Wright (137)

- 4 SB 162 - Cooper (155)
- 5 HCS SB 174, E.C. - Bruns
- 6 HCS SB 177 - Behnen
- 7 HCS SCS SB 182 - Rector
- 8 SB 209 - Pearce
- 9 HCS SB 216 - Goodman
- 10 SCS SB 227 - Kuessner
- 11 HCS SCS SB 238 - Faith
- 12 SCS SB 247 - Bruns
- 13 SB 265 - Wood
- 14 SB 288 - Lager
- 15 SB 304 - Ervin
- 16 HCS SB 308 - Pollock
- 17 SB 317 - Johnson (47)
- 18 SCS SB 354 - Schlottach
- 19 SB 357 - Smith (118)
- 20 HCS SB 364, E.C. - Franz
- 21 HCS SCS SB 372 - Kuessner
- 22 SCS SB 374 - Zweifel
- 23 SB 396 - Cooper (158)
- 24 HCS SB 401 - Lembke
- 25 SB 418 - Lipke
- 26 HCS SB 422 - Yates
- 27 HCS SCS SB 423 - Lipke
- 28 HCS SCS SB 450, E.C. - Portwood
- 29 SCS SB 496 - Kelly
- 30 SCS SB 502, E.C. - Portwood
- 31 SB 521, HCA 1 - Cooper (158)

#### **SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 270, E.C. - Richard
- 2 HCS SB 21 - Stevenson
- 3 HCS SCS SB 70 - Richard
- 4 SCS SB 73 - Weter
- 5 HCS SCS#2 SB 155 - Kingery
- 6 SCS SB 258 - Baker (123)
- 7 SB 367 - Hunter
- 8 SB 378 - Boykins
- 9 SCS SB 390 - Pratt
- 10 SB 488, HCA 1 - Robinson

#### **HOUSE CONCURRENT RESOLUTION**

HCS HCR 25, (3-10-05, Pages 588-589) - Schlottach